

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 31, 1979
6:00 P.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino

Absent: None

COMMEMORATION

"Before our Invocation, we want to take just a moment this evening," explained Mayor McClellan, "on behalf of the City Council and all of the citizens of Austin, to offer our condolences to the family of the late U. S. District Judge John Wood, Jr., who was assassinated Tuesday, and was buried today. It's tragic that this noted jurist was slain only a few months after he had expressed his personal outrage over attempts by criminal figures to intimidate Federal officials through acts of violence. His reputation for firm control of his courtroom and the proceedings in it was justly earned and a major contribution to our belief in law and order. His vacated bench is our loss and should stir our resolve and conviction for justice in his name and memory, and we join the mourners across the state and country in this sad hour and offer our thanks for the good life he gave us and in the balance of justice."

INVOCATION

The Invocation was given by Pastor Robert Sheffield, Congress Avenue Baptist Church.

MISS BLACK TEXAS PAGEANT WEEK

Mayor McClellan read a proclamation designating the week of May 27 through June 2, 1979, as Miss Black Texas Pageant Week. MS. PAMELA PATTERSON, former Miss Black Texas, and Pageant Director, thanked the Mayor for the proclamation and stated complimentary pageant tickets for Mayor and Councilmembers would be available at the door. The following contestants were present in the Council Chamber:

Monetta Kaye Anderson - Miss Black Houston
Renee Page - Miss Ebony of East Texas
Kawana Annette Sadler - Miss Black Dallas
Sherikwa Nowlin - Miss Black Austin
Generia Malone - Miss Black Temple
Janice Sims - Miss Black Tyler
Brenda Gail James - Miss Black Texas of 1978-79
Debbie Drayden - Miss Black Longview
Janet McClendon - Miss Black Nacogdoches
Mercedes Spellman - Miss Black San Antonio
Debra Annette O'Bannon - Miss Black Texarkana

RECREATION AND PARKS MONTH

Recreation and Parks Month will be observed during the month of June according to a proclamation read by Mayor McClellan and accepted with appreciation by Mr. Ray Hall, Vice-chairman of the Parks and Recreation Board.

AUSTIN SUNSHINE CAMP WEEK

BRONSON DORSEY, Young Men's Business League, thanked the Mayor for her proclamation designating the week of June 3-9, 1979 as Austin Sunshine Camp Week.

BOARD AND COMMISSION APPOINTMENTS

The following appointments were made to Boards and Commissions by Council:

Urban Renewal Board

Councilmember Mullen moved that the following appointments to the Urban Renewal Board be confirmed:

Richard J. Castruita	Terms to expire 5-5-81
Willie H. Walls, Sr.	
David T. Davenport	
Wanda J. Terrell	Term to expire 5-5-80

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

Motion

Mayor Pro Tem Cooke moved that the Council approve the following Board and Commission appointments:

Dental Health Advisory Committee

Dr. Edwin White	Terms to expire 3-1-80
Dr. Sidney White	
Dr. James Glenn	
Vernell Lee	
Peggy Davidson	
Howard Pyle	

On-Going of Goals Assembly Committee

Ruth Williams	Terms to expire 6-1-81
Elizabeth Washington	

Building Code Board of Appeals

Billy Wheless	Term to expire 7-1-80
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Manpower Advisory Planning Council

Gwendolyn Joseph	Term to expire 9-30-79
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Board of Equalization

Jose Alcorta	Terms to expire 5-31-80
General Frank Wood	
Reedy Spigner	

Urban Transportation Commission

George Human	Terms to expire 1-1-80
Dr. Philip Powell	

Community Development Commission

Bill Stotesberry - to represent Councilmember Lee Cooke
Leroy Wormley - to represent Councilmember Jimmy Snell

The following will choose their representatives:

Labor (Austin AFL-CIO Council)
Industry (Austin Chamber of Commerce)
Business (Austin Jaycees)
Welfare (Austin Area Urban League, Inc.)

The following will choose their representatives later:

Religion (Austin Area Conference of Churches)
Education (Parent-Teacher Association)

The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Mayor McClellan
Noes: None
Abstain: Councilmember Trevino

Civil Service Board

Mayor Pro Tem Cooke moved that the Council confirm the reappointment of Monsignor Lonnie Reyes to the Civil Service Commission, with term to expire 5-6-82. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

Future Appointments

The Mayor announced the following appointments will be made June 14, 1979:

Citizens' Board of Natural Resources and Environmental Quality - 1
Elisabet Ney Museum Board - 2
On-Going of Goals Assembly Committee - 1
Wrecker Standards Commission - 2
Building Standards Commission - 5
Historic Landmark Commission - 5
Medical Assistance Advisory Board - 3
Parks and Recreation Board - 7
Planning Commission - 5
Commission on the Status of Women - 7
Vending Commission - 3
Community Development Commission - 1 (to represent Councilmember Himmelblau)

The following appointments will be made July 5, 1979:

Joint Airport Zoning Board - 1
Board of Adjustment - 2
Building Code Board of Appeals - 1
Electric Utility Commission - 4
Energy Conservation Commission - 5
Ethics Review Commission - 2
Hospital Board - 4
Citizens' Board of Natural Resources and Environmental Quality - 8
Plumbing Advisory Board - 4
Employment Retirement System, City of Austin - 2
Solicitation Board - 3

RELEASE OF EASEMENT

Mayor Pro Tem Cooke moved that the Council adopt a resolution to release the following easement:

A ten (10.00) foot drainage easement out of Mince Subdivision.
(Requested by Clinton Rippy, Surveyor, representing James H. McCullick)

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

LICENSE AGREEMENT

Mayor Pro Tem Cooke moved that the Council adopt a resolution to approve a License Agreement between Tel-Med Incorporated and The Austin Public Library to provide Tel-Med Services. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

CONTRACTS APPROVED

Mayor Pro Tem Cooke moved that the Council adopt a resolution to approve the following contract:

LEIF JOHNSON FORD
501 East Koenig Lane
Austin, Texas

- Nineteen Pickup Trucks, Vehicle
& Equipment Services Department
Items LT-6, LT-7.1, LT-7.2, LT-7.3,
LT-8, LT-11, & LT-12 - \$109,961.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

Mayor Pro Tem Cooke moved that the Council adopt a resolution to approve the following contract:

FEDERAL PACIFIC ELECTRIC COMPANY
San Antonio, Texas

- CAPITAL IMPROVEMENTS PROGRAM
Two Metalclad Switchgear, Electric
Utility Department.
Item 1, 2 each @ \$72,020
Total \$144,040

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

Mayor Pro Tem Cooke moved that the Council adopt a resolution to approve the following contract:

TECHLINE, INC.
8750 Shoal Creek Boulevard
Austin, Texas

- Pole extensions and poles, street
lighting, Electric Utility Department.
ITEMS 1-4.2 - \$63,471.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

Mayor Pro Tem Cooke moved that the Council adopt a resolution to approve the following contract:

WALLACE & TIERNAN
2949 Stemmons Freeway
Dallas, Texas

- Three (3) Chlorinators and
Accessories, Parks and Recreation
Department.
Item 1-7 - \$5,900.00

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: None

Mayor Pro Tem Cooke moved that the Council adopt a resolution to approve the following contract:

Bid Award:

- CAPITAL IMPROVEMENTS PROGRAM -
Irrigation System Parts, Parks and
Recreation Department.

WATSON DISTRIBUTING COMPANY
511 Brewster
San Antonio, Texas

- Items 12-15, 95-102, 111, 113,
115-116, 137-138, 140-142 -
Total \$1,365.23

CROSS-B-COMPANY
52 Kinder
San Antonio, Texas

- Items 8-9, 11, 16-94, 107-108,
117-136 and 139 - \$8,835.02

GOLDTHWAITES
1007 Sentinel
San Antonio, Texas

- Items 1, 6-7, 10, 105-106, 114
and 143 - \$20,372.77

The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

CAPITAL IMPROVEMENTS PROGRAM

Mayor Pro Tem Cooke moved that the Council adopt a resolution to select Austin Testing Engineers for professional soils investigation and engineering testing services for the new Natural Science Center. CAPITAL IMPROVEMENTS PROGRAM No. 77/86-15. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

Mayor Pro Tem Cooke moved that the Council adopt a resolution to select Trinity Engineering and Testing Corporation for professional soils investigation for engineering testing services for an electric transmission line - Circuit 829 from Burleson to Hicross Substations. CAPITAL IMPROVEMENTS PROGRAM Nos. 77/15-01. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

ELIZABET NEY MUSEUM RESTORATION

Mayor Pro Tem Cooke moved that the Council adopt a resolution to submit an application to the Texas Historical Commission in the amount of \$137,000 for repair and restoration of the Elizabet Ney Museum. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

SUMMER YOUTH PROGRAM

Mayor Pro Tem Cooke moved that the Council adopt a resolution to submit an application to the Community Services Administration in the amount of \$26,873 for the Summer Youth Program. (June 1, 1979 through September 30, 1979) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

AUSTIN COMPREHENSIVE PLAN PUBLIC HEARING SET

Mayor Pro Tem Cooke moved that the Council set a public hearing on June 14, 1979 at 10:00 A.M. on amending Chapter IV of the Austin Comprehensive Plan as related to disposition of Area V. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

URBAN RENEWAL REDEVELOPMENT PUBLIC HEARING SET

Mayor Pro Tem Cooke moved that the Council set a public hearing for June 14, 1979 at 2:00 P.M. on designation of an Urban Renewal Redevelopment Area. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

BERGSTROM SPUR TRACK - TRAIN SPEED LIMIT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 27-11 OF CHAPTER 27 OF THE AUSTIN CITY CODE OF 1967, LOWERING THE MAXIMUM SPEED FOR ANY RAILROAD TRAIN, CAR OR LOCOMOTIVE BETWEEN CERTAIN DESIGNATED POINTS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had been finally passed.

SPEED ZONES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-41, SUBSECTION (c), OF THE AUSTIN CITY CODE OF 1967, MAKING A CERTAIN ADDITION TO SAID SUBSECTION, THEREBY DECLARING PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d), REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Clawson Road)

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had been finally passed.

ADDITION - Subsection c - 25 m.p.h.

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Clawson Road	Grayford Drive (4000 block)	Doolin Drive (3300 block)

AIRPORT ACCESS ROAD RE-ALIGNMENT

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING THAT THE CITY COUNCIL MEETING OF JULY 19, 1979, SHALL BEGIN AT 9:00 A.M. INSTEAD OF 6:00 P.M.; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had been finally passed.

COUNCIL MEETINGS CANCELLED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING FOR THE CANCELLATION OF THE CITY COUNCIL MEETINGS SET FOR JUNE 7, 1979, JULY 12, 1979, AUGUST 16, 1979, AND SEPTEMBER 6, 1979; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS II AND III, BLOCK 29, RESUBDIVISION OF WALLING ADDITION, LOCALLY KNOWN AS 1203-1205 WEST 49TH STREET; FROM "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT TO "B" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Ronald Goldstein, C14-79-034)

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had been finally passed.

TAXICAB FRANCHISES

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE GRANTING ROY'S TAXI, INC. A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN FOR FIVE YEARS, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED (The ordinance was not published and began again later.)

The ordinance was read the first time, and Councilmember Snell moved that it be passed to its second reading. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had passed through first reading only. (The ordinance was not published and began again later.)

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE GRANTING AIRLINE CAB COMPANY A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN FOR FIVE YEARS, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the first time, and Councilmember Snell moved that it be passed to its second reading. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had passed through first reading only. (The ordinance was not published and began again later.)

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE GRANTING HARLEM CAB COMPANY, INC. A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN FOR FIVE YEARS, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the first time, and Councilmember Snell moved that it be passed to its second reading. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had passed through first reading only. (The ordinance was not published and began again later.)

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE GRANTING YELLOW-CHECKER CAB COMPANY, INC. A FRANCHISE TO OPERATE A TAXICAB SERVICE IN THE CITY OF AUSTIN FOR FIVE YEARS, AND PRESCRIBING THE TERMS, CONDITIONS, OBLIGATIONS AND LIMITATIONS UPON AND UNDER WHICH SUCH FRANCHISE SHALL BE EXERCISED.

The ordinance was read the first time, and Councilmember Snell moved that it be passed to its second reading. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had passed through first reading only. (The ordinance was not published and began again later.)

ZONING ORDINANCE

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 0.062 ACRE TRACT OF LAND, LOCALLY KNOWN AS 722 MORROW STREET; FROM "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY. (Edwayne Preistmeyer & Jerry Holley, C14-79-075)

Councilmember Snell moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had been finally passed.

PUBLIC HEARING - PAVING ASSESSMENTS
STASSNEY LANE

Mayor McClellan opened the public hearing scheduled for 6:30 P.M. in connection with paving assessments to be levied on the following and passage of ordinance:

CAPITAL IMPROVEMENTS PROGRAM - STASSNEY LANE, PHASE II, extending from Radam Circle to South Congress. CAPITAL IMPROVEMENTS PROGRAM NO. 73/62-30.

Mr. John German, Director of Public Works, reviewed the assessments. MR. HERBERT SLADEK, JR., an individual appraiser who made the assessments, was questioned by James Riggs, Assistant City Attorney, regarding his qualifications as an appraiser.

MR. ERNEST LEONARD, owner of Parcel 13, appeared before Council concerning the assessment on his property. He stated his income is less than \$500.00 per month and there is no way he can pay the assessment of \$980.00 on his property. Mr. Leonard said he thought the bond money covered Stassney Lane paving and improvements. Mayor McClellan asked Mr. German to explain the paving policy and allocation of bond money. Mr. German pointed out that bond money pays for 81% of a paving project. The rest is to be paid by the property owners on the street involved. Mr. Leonard reiterated he had no money, no savings, and asked how long he would have to pay the money. He pointed out the example of the people on Tillery Street who did not have to pay their paving assessment. The Mayor told Mr. Leonard the Tillery Street assessment was entirely different. Those people had been promised paying under the Model Cities program. Mr. German explained to Mr. Leonard that his assessment can be paid over a five-year period, and that he is also protected under the Homestead Act. He said he would discuss this with him.

MR. FRITZ A. MILLER, owner of Parcel 11, asked why Stassney was widened. Mr. German told him it was to bring it up to standard. Mr. Miller said he was in the same position, financially, as Mr. Leonard and does not have the money. Mr. German said he would talk to him, also.

CLARENCE E. GRIFFIN, owner of Parcel 24, asked if the gravel he had would be replaced. Mr. German told him it would. Mr. Griffin wondered about drainage at Brown School. Mr. German told him that it will be fixed.

Mr. Leonard asked for an explanation of the Homestead Act protection for payment of the bill. Mr. Harris, City Attorney, told him he would receive an annual notice of the bill but no action would be taken against him until the house is sold. The interest on the amount due the City would be accrued at 7% annually, and will begin accumulating one year from now.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CLOSING THE HEARING GIVEN TO THE REAL AND TRUE OWNERS OF PROPERTY ABUTTING UPON SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINAFTER DEFINED, AS TO SPECIAL BENEFITS TO ACCRUE TO SAID PROPERTY AND THE REAL AND TRUE OWNERS THEREOF BY VIRTUE OF THE IMPROVEMENT OF SAID STREETS WITHIN SAID LIMITS, AND AS TO ANY ERRORS, INVALIDITIES OR IRREGULARITIES IN ANY OF THE PROCEEDINGS OR CONTRACT THEREFOR; FINDING AND DETERMINING THAT EACH AND EVERY PARCEL OF PROPERTY ABUTTING UPON SAID STREETS WITHIN THE LIMITS DEFINED WILL BE SPECIALLY BENEFITED AND ENHANCED IN VALUE IN EXCESS OF THE AMOUNT OF THE COST OF SAID IMPROVEMENTS PROPOSED TO BE, AND AS, ASSESSED AGAINST SAID ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND LEVYING AN ASSESSMENT FOR THE PAYMENT OF A PORTION OF THE COST OF IMPROVING SAID STREETS WITHIN THE LIMITS DEFINED; FIXING A CHARGE AND LIEN AGAINST ALL SAID ABUTTING PROPERTIES, AND THE REAL AND TRUE OWNERS THEREOF; PROVIDING FOR THE MANNER AND METHOD OF COLLECTION OF SAID ASSESSMENTS AND THE RECEIPT FOR PAYMENT OF AND RELEASE OF LIEN ON THE SAME; DECLARING AN EMERGENCY; AND PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON ITS PASSAGE. (Stassney Lane)

Councilmember Mullen moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro
Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen

Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan asked Mr. German to address the specific concerns of Mr. Miller, Mr. Leonard and Mr. Griffin.

SPRINGWOODS MUNICIPAL UTILITY DISTRICT

MR. ELBERT HOOPER, attorney, appeared before Council to request consideration and action on petition to the City of Austin for creation of Springwoods Municipal Utility District (MUD). The district is located in the vicinity of old Highway 183 and Anderson Mill Road. It is comprised of three tracts of land totaling approximately 300 acres. He said they propose a limited purpose utility district which purpose would be to construct a forced main lift station system to collect the wastewater that's generated by the residents of the district as well as being capable of serving an area of about five times that number of people who would be in surrounding neighborhoods and developments that might occur in the future. Mr. Hooper then passed out supplementary material to Council and said he was asking, not for their decision tonight, but for their consideration. After further explanation of the material, the following motion was made:

Councilmember Mullen moved that the Council request the City Manager to bring back a report in three weeks on the advisability of creation of Springwoods Municipal Utility District. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem
Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

SERTOMA POOR BOY ARTS AND CRAFT FAIR

Councilmember Himmelblau moved that the Council approve the request of MR. NORMAN R. HAERTIG, representing the Northwest Austin Sertoma Club, for permission to use Auditorium Shores September 8 and 9, 1979, April 12 and 13, 1980 and September 6 and 7, 1980 for the Sertoma Poor Boy Arts and Craft Fair. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

ADDITIONAL LAND FOR NATIONAL GUARD FACILITIES

LT. COLONEL PERLAN, representing Major General Willie L. Scott, TexARNG, appeared before Council to discuss additional land needed for National Guard facilities at Robert Mueller Municipal Airport. He distributed to Mayor and Council a report showing the need for more space, illustrated by photographs and maps. He described the equipment they use and some of their procedure. Mayor McClellan responded to his request by stating she thought it was valid, and Mr. Davidson agreed and requested a reasonable length of time for action.

Councilmember Goodman moved that the Council instruct the City Manager to report back in 30 days concerning the additional land needs for the National Guard facilities at Robert Mueller Municipal Airport. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

ITEM WITHDRAWN

MR. FRANK BARRON had requested to appear before Council to ask that a public hearing be set on Property Tax Account No. 022505014400, 5112-5200 North Lamar, Lot 1, Block A, The 5200 Place. According to City Manager Davidson, this has been resolved and therefore Mr. Barron did not appear.

ZONING CHANGE REQUESTED

MR. CHARLES M. HOLT requested Council's approval for property zoned Interim "A" Residence, 1st Height and Area, to be changed to permanent "A" Residence. Mayor McClellan requested Mr. Lillie, Director, Planning Department, to discuss the request with Mr. Holt.

URBAN SURVIVAL FAIR

Councilmember Goodman moved that the Council approve the request of MR. JIM BROWN, member of the Red Ryder Preservation Society, for permission to sell beer, food, and soft drinks at the Urban Survival Fair on June 9 and 10, 1979, at Waterloo Park, subject to department requirements. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

RECLASSIFICATION OF RECORDING STUDIOS
IN ZONING ORDINANCE

MR. STEPHEN W. SHIELDS, partner, Pecan Street Studios, appeared before Council to request reclassification of recording studios in the Zoning Ordinance. He said they were going to build a new studio in Austin and in checking the existing zoning ordinance he discovered it preceded any recording studios. Mr. Lillie, Director of Planning, stated, "The technology certainly has changed since the 1941 ordinance was adopted. The procedure is to submit it to the Building Inspection Department for recommendation and submit the recommendation to the Planning Commission for consideration and public hearing, and back to Council for an amendment to the ordinance." The Mayor suggested to Mr. Shields that he follow that procedure in order to instigate a change in the zoning ordinance text.

PARADE PERMITS

Councilmember Snell moved that the Council approve the following Parade Permit:

Request for a Parade Permit from HEIDI E. WAKEFIELD, for Austin Rape Crisis Center, from 6:00 P.M. to 7:30 P.M., Saturday, June 23, 1979, beginning north on the Hike and Bike Trail at Pease Park to West 29th Street, left on Wooldridge Drive, left on Claire Avenue, left on Gaston Avenue, back on Hike and Bike Trail (by Shoal Creek) south to start at Pease Park.

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

Councilmember Snell moved that the Council approve the following Parade Permit:

Request for a Parade Permit from MR. DAN BRAINARD, for Northwest Hills July 4th Parade Committee, from 10:00 A.M. to 10:45 A.M., Wednesday, July 4, 1979, beginning from Far West Boulevard from Waterline Road, eastward to Doss School.

The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

ZONING HEARING - POSTPONED

Council had before them a zoning hearing scheduled for 7:00 p.m. Pursuant to published notice thereof, the following zoning case was publicly heard:

BILL MILBURN	3003-3205 Duval Road	From Interim "AA" Residence
By John S. Avery		1st Height and Area
C14-78-190		To "A" Residence
		1st Height and Area
		RECOMMENDED by the Planning
		Commission

Mayor McClellan stated Council had before them a letter signed by MR. GURSAGE and MR. RICHARDSON, agent for the Walnut Crossing Homeowners Association, saying they have reached tentative agreement and requesting two weeks to complete the arrangements and asked that this be postponed.

Councilmember Goodman moved that the zoning case be postponed until June 14, 1979, at 11:00 A.M. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the zoning case had been postponed.

PROBLEMS IN 400 BLOCK OF EAST 30TH STREET

MR. CORNELIUS CARROL LAIRD, Manager of properties for L. Holmes, appeared before Council to discuss the problems in the 400 block of East 30th Street. He outlined difficulties encountered with various tenants and people who live on the street and in the alleys of the neighborhood. Council referred his concern to the City Manager and requested Mr. Davidson report back to Council.

JOB PRESSURES DAY

MR. RICHARD AEREOLA appeared before Council to invite them to the noon rally on June 15 in Wooldridge Park for CWA Job Pressures Day to hear about the pressures for working men and women in telecommunications. He said he is not asking for a commitment from the Council at the rally, but want the Council and citizens of Austin to know that the services they provide are only as good as the working conditions they have.

VIET NAM MONUMENT

The Austin Arts Commission presented a report recommending the Austin Contemporary Visual Arts Association request for funds. MR. HERB HILLARY, President of the Austin Contemporary Visual Arts Association, appeared before Council to request \$400 in order to get started on a monument for the people who served and died in Viet Nam. Mr. Hillary stated they need the money to pay for the juror. They have arranged to have Ira Licht, former Director of outdoor art for the National Endowment and present Director of the Lowe Museum in Miami, to be the juror. It will cost about \$800.00.

Councilmember Goodman moved that the Council approve \$400.00 for the Austin Contemporary Visual Arts Association for use for the monument to those who served and died in Viet Nam. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor
Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

DAVENPORT RANCH MUD

Council had before it a resolution to consider entering into a water and wastewater contract with Westview Development Company relating to the proposed Davenport Ranch Municipal Utility District (MUD).

Councilmember Goodman stated, "Since I was the one who made the motion for the consent agreement, I'd like to make another motion this evening and then we can have any discussion that would follow. I would like the City Attorney to draw up the proper motion for us to withdraw that consent for the Davenport Ranch Municipal Utility District and to have it ready for perhaps our next Council Meeting so that we can withdraw from the consent agreement we had previously granted." Councilmember Goodman asked if this should be in the form of a motion. Mr. Harris, City Attorney, told him a motion was not necessary. He would see that it is on the next Council agenda for full consideration.

Councilmember Goodman continued, "Regarding what is posted this evening, I recommend that we take no action and that we simply ask the City Attorney to draw up that different motion which we could not act on tonight because it is not on tonight's agenda."

Motion - Died for Lack of Second

Councilmember Goodman moved that the Council:

1. Disapprove contract because it opens the possibility of a private utility company and because the City of Austin is not ready at this time to grant permission for water or sewer service in the entire Davenport Ranch area and because the water and wastewater lines would be privately owned.

2. Instruct the staff to begin annexation proceedings for the Lake Austin peninsula at the earliest possible time with the staff deciding how much if any territory in existing Water Control and Improvement Districts shall be included in the annexation. The land to be interim zoned under 3. below but providing fair and reasonable alternative zoning for preexisting preliminary plats and other commitments.

3. Instruct the staff to prepare for Council approval an amendment to the Zoning Code creating a residential zoning district providing for single-family dwellings on one-acre lots but permitting cluster and PUD (Planned Unit Development) averaging one acre of land per unit.

4. Declare a moratorium on approval of plans and plats on the peninsula.

5. Instruct the staff to prepare reasonable regulations dealing with the use of septic tanks and similar systems in conjunction with the zoning district in 3. above.

6. Instruct the staff to prepare a low-density traffic subdivision ordinance for use in conjunction with the zoning district in 3. above with pavement, shoulder and right-of-way widths and curb, gutter and drainage requirements designed to permit economical development in said district.

7. Instruct the staff to report back to the Council within 30 days.

Mr. Harris stated this does not need to be a motion, merely a request. There was no second.

Motion

Councilmember Snell moved that the Council take no action on consideration of entering into a water and wastewater contract with Westview Development Company relating to the proposed Davenport Ranch Municipal Utility District. Council agreed by consent.

Councilmember Mullen asked where this leaves the City legally? "Where will the Davenport people go to next? What repercussions will this have to the City if we take this action? I was not privy and I don't think any member of the Council was privy to the negotiations which I understood was 500 acres...now it's 1200, which appears to be different than what I thought we were going to approve...and various changes. And I don't know if those negotiations were begun by our City staff on their interpretation of what we wanted, or if that was initiated by the Davenport people on what they understood the Council was trying to get done."

Mr. Davidson, City Manager, stated that if the Council is going to disapprove the contract, he did not think they needed to discuss it; however, staff was prepared for discussion if Council so desired. Councilmember Goodman said Council was doing nothing to damage themselves legally because they are taking no action at all. Councilmember Mullen asked if it was still open for negotiations. Councilmember Goodman said yes, and Mr. Mullen stated, "Okay, then, that's fine with me. I just wanted to be made aware of those things before we take final action."

MS. PAM GIBLIN, attorney representing Davenport Ranch, stated: "This comes as a complete surprise to us. We were negotiating with the staff in good faith and your staff was really scrupulous about going down each one of the terms of the consent resolution and the consent agreement, which we are in agreement with. Every single one of the key provisions that tracked Mr. Goodman's motion that are in the water and wastewater contract were suggested by your staff. So if the Council, at the next meeting would like to get into that we're prepared to go provision by provision, show who originated that, track it to the consent resolution...it is literally a scrupulous reading because your staff was extremely concerned about that and properly so. So this does come as a surprise ...I don't know where it leads to."

Mayor McClellan said, "I just want to share this with you that I saw this for the first time when I sat down at the Council dais, too." Councilmember Mullen said Council needs to know what discussions have gone on between the City staff and the Davenport Ranch staff.

LIBRARY FUNDING

Council had before it for consideration a resolution authorizing submission of an application in the amount of \$363,156 to cover expenses of Central Texas Library System for FY 1980 in the provision of materials and support services to member libraries, funded under State Library Systems Act and the Federal Library Services and Construction Act. Title I.

Councilmember Himmelblau expressed concern because of the amount that will reflect in the operating budget for the next year. She said she was not sure whether or not it is all recoverable. Mr. Holt, Library Director, answered, "This is part. There is also an amount in Inter-library loan. This is the part that is for the operation of the Central Texas Library System itself. The direct funds for benefit of the Austin Public Library are \$90,000 for books out of the \$363,156 and just under 90% of a staff member in our library information department." Councilmember Himmelblau said, "So there is benefit for us other than just the kindness of our heart to administer?" Mr. Holt affirmed this and said a good portion is for the books..which would be about 28.3% of the total grant.

Councilmember Himmelblau moved that the Council adopt a resolution to submit application in the amount of \$363,156 to cover expenses of Central Texas Library System for FY 1980 in the provision of materials and support services to member libraries, funded under State Library Systems Act and the Federal Library Services and Construction Act. Title I. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

ZONING ORDINANCE

Council had before it an ordinance to amend Chapter 45 of the Austin City Code of 1967 (Zoning Ordinance) to cover the following change:

ALLIED DEVELOPMENT	7000 Ed Bluestein	From "GR" General Retail
COMPANY	Boulevard	1st Height and Area
By Tom Cummins	6950 Manor Road	To "C-1" Commercial
C14-79-017		1st Height and Area

Councilmember Snell stated there were some concerns regarding this zoning change and asked MS. JOAN BARTZ to address the Council. "This was heard and granted on March 29 and for the record I will read the statement I just handed you. I am Joan Bartz. I am the Zoning Committee Chairman for the University Hills Homeowners Association. This request, which is for "C" zoning in a shopping center across from Winn Elementary School was heard by Council on March 29. 1979.

"At that time, the University Hills Homeowners Association did oppose the granting of the 'C' zoning request and does continue to oppose this request for the same reason as stated on March 29th, i. e. granting 'C' zoning will set a precedent on which additional requests for C zoning in this area can and will be based.

"The position of the UHHA (University Hills Homeowners Association) in regard to this zoning request, as recorded on March 29th, was then and is now accurate. The testimony presented on March 29th was approved by the UHHA, presented at its direction by the organization's authorized representative, zoning chairman Joan Bartz.

"The recorded statement (copy attached) of the Allied Development Corp. representative on March 29th, referring to the lack of authority, misrepresentation of the UHHA position, and alleged self-interest of the UHHA speaker were and are false. The Council received a letter from the UHHA President in this regard. A request to Allied Development Corp. for substantiation of the claim(s) made by its representative on March 29th has neither been acknowledged nor answered.

"The UHHA has attempted to work cooperatively with the Allied Development Corp. on this shopping center, no part of which was proposed as potential 'C' zoning as originally presented to us. If there had been any such indication, the UHHA would have made its position on the inclusion of 'C' zoning in this area known at that time.

"The UHHA respectfully requests that the City Council, on second and third reading, vote against the granting of the 'C' zoning request, as not being in the best interests of, nor compatible with the residential and school area in which it will be located."

Mayor McClellan said she shares her concern and appreciates her pointing this out to Council.

Councilmember Mullen pointed out that this zoning change is over 1,000 feet from the school and did not think the point should be belabored. Councilmember Goodman said Mr. Mullen has a valid point, "Even though I'm going to vote no and you're going to vote yes, because there will be a grocery store right next door selling beer and wine. I think the point is somewhat negated by that fact."

Mayor McClellan brought up the following ordinance for its first reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 3,000 SQUARE FOOT TRACT OF LAND, LOCALLY KNOWN AS 7000 ED BLUESTEIN BOULEVARD AND 6950 MANOR ROAD, FROM "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT TO "C-1" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (Allied Development Company, C14-79-017)

The ordinance was read the first time, and Councilmember Mullen moved that the ordinance be passed to its second reading. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Trevino, Mayor Pro Tem Cooke

Noes: Councilmember Snell, Mayor McClellan, Councilmember Goodman

The Mayor announced that the ordinance had been passed through its first reading only.

BOAT RACES ON LAKE AUSTIN

Mayor McClellan opened the public hearing scheduled for 8:00 p.m. on the request for boat races on Lake Austin.

MR. TOM ECHOLS, Commodore, 1979 Aqua Festival, appeared before Council to state they feel boat races are an important part of the Aqua Festival for Austin and the surrounding area. He said the Executive Board voted unanimously to have a test run in June to see if a course on Lake Austin would be safe and feasible, if so, then they request one race in August. He said the test run would require only 4 hours one day with two boats running at one time, and the main reason for the test run is to test safety factors. Mayor McClellan thought there should be precautions taken for people who would be watching the test run. She asked if there were any commitments on the dams. Mr. Ehrler, Director of Parks and Recreation, stated LCRA (Lower Colorado River Authority) cannot give any assurance because of the weather. They adjust the dams according to water levels and these, of course, are not predictable. Mayor McClellan said she is in favor of test runs. Councilmember Himmelblau asked what the City's cost would be and Mr. Ehrler answered the City's contribution is in-kind services. At this point, he does not have the cost of all the materials which will be needed. Mr. Echols opined all in-kind services will be much less than in the past.

Councilmember Snell asked about having an event which would replace boat races. Mr. Echols said there is discussion of one, but it would also attract crowds. Mr. Snell asked if the proposed race would be "nationals." Mr. Echols said they cannot have them with only one race.

Mayor McClellan asked Danny Reed to tell Council about the test which was run on Lake Austin last year. Mr. Reed answered a boat was tested at 170 mph. They found the road leading to Lake Austin to be somewhat hazardous and would not support the crowds of a national event but would be adequate for a local race. He said the moss in the lake is a hazard. He then discussed safety to the racers and the spectators.

Mr. Ehrler presented the Parks and Recreation Board report which requested the boat races on Lake Austin be granted on a one-year basis with one trial run and one race in August. Everything will be monitored and a decision made then as to whether the races should be continued in subsequent years. He pointed out the closing of the lake for a test run and the race will require an ordinance. Councilmember Himmelblau asked if the park rangers will be able to keep people off of the private property on the west side of the lake. Mr. Ehrler said that becomes the problem of the County.

MS. JAN FLEMING, spokesman for a group of interested citizens in River Hills, presented the following report to Council:

"We are not all opposed to drag boat races, but many of us who live in the River Hills Road area wish to impress upon you our belief that the proposal to have boat races on Lake Austin is irresponsible. The unsuitability of the location is such that we think the Aqua Festival's choice is just an attempt to prove that boat racing cannot be run out of Austin. Those of us who have signed our names to this document, are interested citizens, who own property in the River Hills area, love the lake and make use of it, pay taxes in the City of Austin, or are City of Austin residents. We would be negatively effected by boat races in the waters off City Park.

"Let's examine the facts:

1. The races attract 10,000 spectators (this information was provided by an Aqua Festival spokesman.)
2. City Park is at maximum capacity with 2,000 people (this information was provided by a Parks and Recreation Department official.)
3. City Park road is not designed for 5,000 cars per day on any day (2500 cars coming to the races and 2500 leaving, with 4 people per car.) If 5,000 people come by bus at 50 people per bus, then you are talking about 200 bus trips to and from the races, plus 2500 car trips, again, with 4 people per car.

4. On the opposite side of the lake from City Park, which is where River Hills Road runs, the only public facilities are The Pier and Anchors Away. These facilities are at the end of a very rough and steeply sloping road. Together, they have parking space for about 100 cars (400 people at 4 per car.)

"We think the above facts would lead a reasonable person to suppose that spectators who can't be crammed into City Park will necessarily come to the unprotected, private property of our area, in order to view the races. (We recall that people lined the south side of Town Lake when races were held there.) What is more, spectators will be crowding this opposite side of the lake to avoid paying the City Park fee.

5. Roads serving both sides of the lake are little more than country lanes, barely passable by 2 cars at a time.

6. Emergency vehicles (fire and ambulance) will not be able to get to spectators on our side, because of road congestion. This is an acute problem, even on normal weekends.

7. The areas on both sides of the lake are covered with underbrush and trees. They are especially prone to fires in late July and August. If people climb the high cliff which overlooks the finish line and shutdown track from the City Park side, the safety of those people is in doubt, and if fires are set, there could be a large disaster. Access for fire trucks is not just difficult, it is impossible. In our own neighborhood, we have just one small fire truck, with a valiant local crew but limited resources.

8. The proposed event will attract novice weekend racers to the Lake Austin area. We insist that the area is suitable for family recreation, but not for public events.

9. The City Park Neighborhood Association does not unanimously support the Aqua Festival Boat Race proposal. The Association members at their April meeting, when the issue was discussed, had less than 50 per cent attendance of its membership. But we do not overlook the fact that some persons unable to attend that meeting do favor races.

10. When Aqua Festival authorities, in the early stages, alleged there was NO OPPOSITION to their proposal for races on the West side of the lake, they had only contacted 4 property owners and the children of another property owner.

11. These races are dangerous. About two years ago, Dan Pastorini's boat went out of control and killed a little girl.

12. Spectators tacitly choose to expose themselves to danger of bodily injury and property damage. Residents of this neighborhood have no choice. The risk of damage to our property -- boat docks, homes, and so forth -- as well as danger of injury to our children, not to mention danger of fire -- all these would be imposed upon us, if boat races are held on Lake Austin.

13. If boat races had never been held in Austin before now, and if this were to be the first proposal ever, the site in question would never have been selected.

14. Is it fair to the general public to block the use of Lake Austin, even for a short time? During summer weekends, the lake is very popular with family boaters.

15. Noise will be a great problem, if races are held. On the park side there is the tall cliff mentioned in paragraph 7. That cliff, just up-stream from City Park, traps, magnifies and relays noise of any kind, and most especially it magnifies and relays over several miles the outrageous noise of racing boat engines. We have to endure enough auditory vandalism, even on normal summer weekends.

"We trust that you, as people of prudent judgment, will see now the deficiencies of the proposed location, and will ask the Aqua Festival to select a more suitable site. Should you refuse this request of ours, we would assume that you would, at the very least, mandate a safety survey by your staff, and see that regulations are enforced by Aqua Festival officials prior to the race days and during those days.

"This City of Austin civic event is being proposed outside the City, because the people of Austin do not want the problems associated with it. Are you now going to impose those problems on County residents?

"This group of people will not use the same tactics as those used by people last year. We shall, however, explore any remedies of law available should you decide not to grant our request."

Ms. Fleming concluded her presentation by presenting a petition of names to Council signed by lake residents who are opposed to boat races on Lake Austin. The petition contained 200 signatures.

MR. MARTY MURROW relinquished his five minutes to Ms. Fleming.

J. B. GOODWIN appeared before Council and said he thought the proposed races on Lake Austin was an effort to keep an event active beyond its time and that he thought the true intent was to attract national races.

MIKE MEACHAM, President, Aqua Festival spoke in defence of the boat race as a money-making event and said all safety factors will be addressed.

DAVID WEBB, who lives in River Hills, was concerned re safety procedures if a crowd of five to ten thousand people go to City Park for the boat race. He said there would be a fire hazard and it would be difficult for emergency vehicles to use the road to the lake.

ANN CLARK, River Hills resident, spoke of her concern about the increasing noise on the lake. They encourage normal boating events, but not the racers up and down the lake they have had in the past 5 or 6 weeks. Councilmember Mullen asked her if this had just started. She said it began when the news got out there might be a race on Lake Austin. When she cited a specific instance of boat racing, Mr. Ehrler stated the Lake Patrol Park Rangers Division did not receive

any specific complaint. Councilmember Mullen reported that the boats were made to get off the lake and put baffles on their motors before they could return. Councilmember Mullen stated that whether the Council goes with the race or not, the City Manager should find out about the noise and speeding which has been questioned by residents testifying today.

Mr. Davidson, City Manager, stated, "About two years ago the Navigation Board made a recommendation about speed zones in certain areas in Lake Austin. Buoys were installed and those sections were enforced, but as you say, maybe there should be another look."

MR. ART KELLER, Executive Director, Austin Aqua Festival, told Council that the safety of the proposed event cannot be judged unless there is a test run.

DOUG MORROW spoke against the races. He opposes the noise and stated the noise level of those who are already on the lake testing their boats is unbelievable.

Mayor McClellan requested Council receive a full written report on the concerns of the citizens...what the police patrol can do, what hours the lake should be open to boats, speed zones, etc.

Mayor Pro Tem Cooke pointed out there was an ordinance passed by Council concerning the races on Town Lake which imposed tight controls.

Councilmember Mullen thought two problems exist. One with the regular usage of the lake by boaters and the other with the concerns raised about a boat race on Lake Austin.

BILL HOFERD, a summer resident of River Hills and also the executive director of the Aqua Fest, said they would do all they could to make it a safe race and one that will not upset the neighborhood. The Mayor asked him if the Aqua Festival people will want three races next year. Mr. Hoferd thought they may want two next year if they go national.

CHARLIE CANTWELL, Executive Vice Commodore of the Austin Aqua Fest, stated that as long as he is in charge of the races, there will only be one race. He does not want national races.

Motion - Died for Lack of Second

Councilmember Goodman made a motion to allow a test run in two or three weeks and continue the public hearing. There was no second to the motion.

Discussion ensued as to whether or not the race should be approved automatically if the test run was found to be safe. This is the request the Aqua Fest people have made. Mayor McClellan felt some type of report should be made on this at the next Council meeting which is June 14 and then a decision made as to whether or not a race should be held in August.

CURTIS RAYMOND, President, Austin Boat Club, told Council his club will probably come before Council next year and ask for one race also. Their's would be as a money maker in order to put some money into the Aqua Festival, too. He said that would mean two different races on two different weekends and just wanted Council to know what their request will be.

MRS. BETTY McCORMACK spoke in opposition to the race. She asked who would take care of the trash after the race...that every weekend the residents have to clean up.

BOB CURTIS, River Hills resident, was concerned about safety precautions which would be taken on the side of the lake opposite the park.

H. R. BOWES, River Hills resident, spoke against the race by discussing the fire hazard, difficulty of emergency vehicles on the winding roads, and pollution caused by crowds.

Motion

Councilmember Mullen moved that the Council close the public hearing, pass an ordinance to allow a trail run on either June 12 or June 13, with one race being allowed in August. Mayor Pro Tem Cooke seconded the motion.

Friendly Amendment

Mayor Pro Tem Cooke offered a friendly amendment, with his second to the motion, to impose the same stipulations regarding safety, noise and clean up as were imposed on Town Lake for the boat race in 1978. Councilmember Mullen accepted the friendly amendment.

Substitute Motion

Councilmember Goodman offered a substitute motion to allow a trial run within the next two or three weeks; that it be coordinated through the City staff with observers on hand not only to check safety requirements but to make noise measurements and make assessment with a report back to Council by June 14, 1979. Councilmember Trevino seconded the motion.

Mayor McClellan said she would like included in the motion that experts from the Boat Club and the Aqua Festival inform Council about safety in the test both from the racers standpoint and from the spectators standpoint.

Substitute Motion Revised

Councilmember Goodman said he wanted to revise his motion to include specific dates for the test run and alternate test run date of June 12 and 19, from 9 a.m. to 1 p.m. and continue the public hearing at the next meeting after the test run.

Motion Withdrawn

Councilmember Mullen withdrew his motion, and Mayor Pro Tem Cooke withdrew his second.

Roll Call on Motion

Mayor McClellan introduced the following ordinance:

AN ORDINANCE RESTRICTING BOAT TRAFFIC ON A CERTAIN PORTION OF LAKE AUSTIN ON JUNE 12, 1979; PROVIDING THAT THE CERTAIN AREA SHALL BE USED EXCLUSIVELY FOR BOAT RACES; SUSPENDING THE PROVISIONS OF SECTION 29-37 OF THE AUSTIN CITY CODE DEALING WITH SPEED LIMIT ON LAKE AUSTIN FOR JUNE 12, 1979 FOR BOATS USED IN BOAT RACES; PROVIDING THAT THE PROHIBITIONS AND SUSPENSION HEREIN GRANTED SHALL BE EXTENDED TO THE DAY OF JUNE 19, 1979 SHOULD CONDITIONS PREVENT THE TRAIL RUN RACES ON JUNE 12, 1979 FROM BEING HELD; SUSPENDING THE RULE REQUIRING THAT ORDINANCES BE READ ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency, and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell

Noes: None

The Mayor announced that the ordinance had been finally passed.

DISCUSSION OF ZONING CASE

Councilmember Himmelblau introduced an item from Council on discussion of Zoning Case No. C14-79-042 (Knights of Columbus tract.) She said, "I put this on when I realized the motion that I thought I had stated and voted on last week could be reconsidered because I didn't feel that it was accurate but City Legal says this is impossible, so when it comes up in ordinance form I'll address it."

REPORT ON FUND TRANSFERS

Mr. Daron Butler, Budget Director, stated "The report on fund transfers is a recommendation for the City Manager to transfer some of our Capital Improvements Program (CIP) funds from one wastewater project that is currently appropriated and authorized but for which the cash flow needs will not be immediate for at least two years, into two projects at this point which are under funded in light of current requirements and which we need to speed up considerably to advance these projects to meet some pressing needs in these areas. What we want to do is recommend the transfer of these monies into these projects which will allow us to go into the detail design work, enter into construction contracts and get these projects moving..and to let you know as a result of the transfer we are proposing to make and seeking your approval on that we will continue some requests for additional funding for these projects from the CIP and that if you grant those requests and we subsequently fund them through another bond election for water and wastewater we will then have a source to repay these temporary transfers from the Onion Creek Plant Project. It's our intent, through this process, to get these two projects fast tracked and under way as soon as possible. We respectfully request your approval on this approach for these two projects."

Councilmember Himmelblau asked how soon we will be able to go to contract on the two projects. City Manager Davidson said October on one and November on the other. He said they are now, "acquiring easements and rights-of-way along the Walnut Creek section and also the Boggy Creek section. The Council has already awarded the design contract on the Walnut Creek job and Boggy Creek design is already completed. So we're ready to award the contract once we have the easements on the Boggy Creek line and I said October, I believe that's really August or September."

Mayor Pro Tem Cooke asked that action on this be held until the June 14th meeting. Council unanimously agreed.

PROPOSED SCHEDULE FOR ECONOMIC DEVELOPMENT PROGRAM

Council received the proposed schedule for the Economic Development Program. Mr. Davidson pointed out the tightness of the schedule and said there was going to be an awfully lot of work done by the American City Corporation and members of the City staff between now and the key dates reflected in the schedule. Mayor Pro Tem Cooke asked if Mr. Nesbitt is aware of the schedule and whether he could work with it. Mr. Davidson answered affirmatively.

Mayor McClellan asked if the Coliseum study has been completed and if Council can have a report on the June 14 agenda. Mr. Jim Miller, Assistant City Manager, answered it will be possible.

COUNTY COMMITTEE ON SOLID WASTE

Mayor Pro Tem Cooke moved that the Council appoint Councilmembers Himmelblau and Snell to the County Committee on Solid Waste. The motion, seconded by Mayor McClellan, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Mayor McClellan

Noes: None

Not in Council Chamber when roll was called: Councilmember Trevino

ZONINGS SET FOR PUBLIC HEARING

The City Manager reported the following applications have been referred to the Planning Commission for recommendation and have been set for public hearing before the City Council on June 28, 1979.

BARRINGTON OAKS JOINT VENTURE Bryant-Curing- ton, Inc. C14-79-086	12230-12288 U. S. 183 12005-12027 Barrington Way	From "O" Office 1st Height and Area To "A" Residence 1st Height and Area
LULU LA FUENTE Buck Smith C14-79-087	6507 and 6513 Circle S Road	From Interim "A" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
R. T. MAYFIELD By John Meinrath C14-79-088	11130-11158 Research Boulevard	From Interim "AA" Residence 1st Height and Area To "GR" General Retail 1st Height and Area
QUALITY CARE, INC. By John Meinrath C14-79-089	11104-11130 Research Boulevard	From Interim "AA" Residence 1st Height and Area To "O" Office (within 120 feet of Jollyville Road) "GR" General Retail (balance of tract) 1st Height and Area
JAMES D. AND EUNICE H. JENNINGS C14-79-090	3702 South 2nd Street 805 South Center Street 3704 South 2nd Street	From "MH" Mobile Home 1st Height and Area To "O" Office 1st Height and Area
HARDIN HOUSE, INC. By Richard Hardin C14-79-091	2215-2217 Rio Grande	From "B" Residence 2nd Height and Area To "O" Office 2nd Height and Area
JANNETT WALKER McNEALY By R. E. Brittain C14-79-092	1159 Navasota	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
NPC REALTY COMPANY By Phil Mockford C14-79-093	1900-1940 Rutland Drive	From "GR" General Retail 1st Height and Area To "C" Commercial 1st Height and Area
J. MAR FIREPLACE CENTER, INC. By Jodie William- son C14-79-094	11575-11581 Highway 183 11518-11520 Angus Road	From Interim "AA" Residence 1st Height and Area To "C" Commercial 1st Height and Area

WILMATH E. ANGLIN C14-79-095	4105 South 1st Street	From "A" Residence 1st Height and Area To "O" Office 1st Height and Area
LAWRENCE M. JOHNSON By Randall Wood C14-79-096	1102 and 1102-1/2 West Avenue	From "B" Residence 2nd Height and Area To "O" Office 2nd Height and Area
RAMADA INN, INCORPORATED By Bruce Shelton C14-79-097	9310 North IH 35	From "GR" General Retail 1st Height and Area To "GR" General Retail 3rd Height and Area
DONALD S. THOMAS, TRUSTEE AND JOHN JOSEPH By Tom Curtis C14-79-098	3701-4309 Duval Road 11900-11942 Burnet Road	From Interim "AA" Residence 1st Height and Area To "C" Commercial 1st Height and Area
RICHARD FLOW C14-79-099	201 Springdale Road	From "D" Industrial 3rd Height and Area To "A" Residence 1st Height and Area
L. JAN TURK and RALPH O. KEHLE ET AL By Ron Scharfe C14-79-100	4015-4021 Banister Lane 1200, 1204, and 1208 Ben White Boulevard	From "O" Office and "GR" General Retail 1st Height and Area To "O" Office and "GR" General Retail 2nd Height and Area
CAPITOL CITY OIL COMPANY By James Olson C14-79-101	2915 South First	From "LR" Local Retail 1st Height and Area To "GR" General Retail 1st Height and Area
L. W. PARKER By Donald Bird C14-79-102	11920-11930 North IH 35	From Interim "AA" Residence 1st Height and Area To "C" Commercial 2nd Height and Area
CITY OF AUSTIN PLANNING DEPART- MENT Original zoning C14-79-103	1703 North Bluff Drive	From Interim "A" Residence 1st Height and Area To "AA" Residence 1st Height and Area
MR. WALTER ANGERMAN By Clarke Heidrick C14-78-225	1804 Mariposa	From "A" Residence and Interim "A" Residence 1st Height and Area To "BB" Residence 1st Height and Area

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WOLF HOUSE
By Carol McMichael
C14h-77-044

1602 East 1st Street

From "C" Commercial
1st Height and Area
To "C-H" Commercial-Historic
1st Height and Area

EVANS HALL
By Ada Simond
C14h-79-012

Chicon Street (Huston-
Tillotson Campus)

From "B" Residence
2nd Height and Area
To "B-H" Residence-Historic
2nd Height and Area

C. B. SMITH, SR.,
and C. P.
SANDERS
C14-78-022

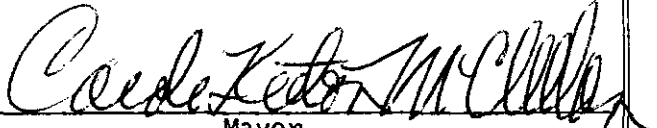
606-611 Kawnee Street
608-611 Swanee Street

Revision to restrictive
covenant

ADJOURNMENT

Council adjourned its meeting at 9:40 p.m.

APPROVED


Mayor

ATTEST:


City Clerk